

RECEIVED  
CENTRAL FAX CENTER  
JUN 19 2008

VALERIE G. DUGAN  
BRIAN M. DUGAN, P.C.D.

DUGAN & DUGAN, PC  
PATENTS, TRADEMARKS & COPYRIGHTS  
245 SAW MILL RIVER ROAD, SUITE 300  
HAWTHORNE, NY 10532  
  
FACSIMILE COVER SHEET

(914)579-2200 TELEPHONE  
(914)579-2201 FACSIMILE  
DUGANMAIL@DUGANPATENT.COM

Date: June 19, 2008

**PLEASE DELIVER THE ATTACHED MESSAGE TO:**

To: Examiner Thanh P. Duong      Fax No.: (571) 273-8300  
From: Christopher Nicastri      Registration No. 32,161

Our File No.: Docket No. 9984/Y01/AGS/SPARES/ESONG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shawn Ferron et al.  
Serial No. : 10/742,126  
Filed : December 19, 2003  
For : APPARATUS AND METHOD FOR CONTROLLED  
COMBUSTION OF GASEOUS POLLUTANTS  
Examiner : Thanh P. Duong  
Group Art Unit : 1797

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 5

\* \* \*  
THIS FACSIMILE IS INTENDED ONLY FOR THE USE OF THE  
ADDRESSEE. THE CONTENT OF THIS FACSIMILE IS PRIVILEGED  
AND CONFIDENTIAL. IF YOU HAVE RECEIVED THIS FACSIMILE  
IN ERROR, OR IF YOU HAVE NOT RECEIVED LEGIBLE COPIES OF  
ALL PAGES, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY.

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUN 19 2008**

Docket No. 9984Y01AGS/SPARES/SONG  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

No. 1321  
Re: Inventor(s): Shawn Faron et al.  
Title: APPARATUS AND METHOD FOR CONTROLLED COMBUSTION OF GASEOUS POLLUTANTS  
Serial No.: 10742,126  
Filed: December 19, 2003  
Examiner: Thanh P. Duong  
Group Art Unit: 1797  
Confirmation No.: 5032

Transmitted herewith is:

- Interview Summary  
 Terminal Disclaimer

**Fee Calculation**

Fee Item	Highest No. of Claims previously paid	Present No. of claims filed	Extra Claims	Fee Rate	Total
Total Claims				X \$ 50.00	\$0.00
Independent Claims				X \$ 210.00	\$0.00
Basic Filing Fee				\$180.00	Paid
<b>TOTAL FEES</b>					\$0.00

- The Commissioner is hereby authorized to charge \$0.00 to Deposit Account No. 04-1696.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1696.

Please address all future correspondence to: Customer # 41161

Dated: June 19, 2008  
Hawthorne, NY

Respectfully submitted,

*Ch. M.*

Christopher Nicastri  
Registration No. 32,161  
(914) 579-2200

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUN 19 2008**

9984/Y01/AGS/SPARES/ESONG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Shawn Ferron et al.  
Serial No. : 10/742,126  
Filed : December 19, 2003  
For : APPARATUS AND METHOD FOR CONTROLLED  
COMBUSTION OF GASEOUS POLLUTANTS  
Examiner : Thanh P. Duong  
Group Art Unit : 1797  
Customer No : 41161  
Confirmation No.: 5032

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INTERVIEW SUMMARY**

The Applicants thank the Examiner for calling on June 19, 2008 to discuss the application, and for indicating that claims 29 - 37, 39 - 59, 61, 66 - 88, 90 and 91 are allowable.

The Applicants and the Examiner came to agreement on claim 94, to wit, that the Examiner would, by Examiner's amendment, amend claim 94 to add the limitations a) iv) and a) v) of claim 29. Upon such amendment, claim 94 will be allowable.

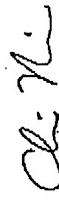
**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUN 19 2008**

9984/Y01/AGS/SPARES/ESONG

The Examiner **JUN 19 2008** asked the Applicants to submit a terminal disclaimer over application no. 11/838,671, and the Applicants hereby submit the terminal disclaimer.

The Applicants thank the Examiner again, and request early allowance of the claims.

Respectfully Submitted,



Dated: June 19, 2008  
Hawthorne, New York  
Christopher Nicastri  
Registration No. 32,161  
Dugan & Dugan, PC  
Attorneys for Applicants  
(914) 579-2200

PAGE 5/5, RCV'D AT 6/19/2008 4:30:05 PM [Eastern Daylight Time] - SVR:USPTO-EF-XRF-5/26/DNS:2738300-CSID:9145792201-DURATION (mm:ss) 01:20

<small>PROSES25 104-177 Automated for use through DOcket2007. Docket 104-1031 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE Under the Patent Protection Act of 1995, no person is required to record to a collection of information under a valid Office serial number.</small>							
<b>TERMINAL DISCLAIMER TO OBLViate A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION</b>							
For: APPARATUS AND METHOD FOR CONTROLLED COMBUSTION OF GASEOUS POLLUTANTS							
In re Application of: Shown Fenlon et al. Application No.: 10742,126 Filed: December 19, 2003							
The owner, <u>Zonded Materials, Inc.</u> , of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the 1st statutory term of any patent granted on pending reference Application Number 110303871 on 04/24/2007, as such term is elected in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.							
<p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the 1st statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that any such patent granted on the pending reference application: (i) expires or fails to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is voluntarily disclaimed in whole or partially disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate or is refused, or is in any manner terminated prior to the expiration of its 1st statutory term as shortened by any terminal disclaimer filed prior to its grant.</p>							
<p>Check either box 1 or 2 below, if appropriate.</p>							
1. <input type="checkbox"/> For submissions on behalf of a business organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business organization.							
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and made or punishable by fine or imprisonment, or both, under Section 102(b) of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>							
2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record. Reg. No. <u>32,161</u>							
<table border="1"> <tr> <td style="text-align: right;"> <small>(Christopher Neesam) Signature</small> </td> <td style="text-align: center;"> <small>June 19, 2008 Date</small> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <small>Christopher Neesam Type or printed name</small> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <small>(914)578-2200 Telephone Number</small> </td> </tr> </table>		<small>(Christopher Neesam) Signature</small>	<small>June 19, 2008 Date</small>	<small>Christopher Neesam Type or printed name</small>		<small>(914)578-2200 Telephone Number</small>	
<small>(Christopher Neesam) Signature</small>	<small>June 19, 2008 Date</small>						
<small>Christopher Neesam Type or printed name</small>							
<small>(914)578-2200 Telephone Number</small>							
<p><b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>							
<p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included.</p>							
<p><small>Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (cont'd). Form PTO/SB/06 may be used for filing this statement. See MPEP § 224. This collection of information is required by 37 CFR 1.221. The information is collected to obtain or retain a benefit by the public which is to be gained by the USPTO to process an application. Confidentiality is guaranteed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.16. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</small></p>							